IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

OP.No. 26361 of 2001(L)

PETITIONER:

E.BHASKARAN, ERAVATH HOUSE,
P.O.ARIMBUR, THRISSUR DIST.

BY ADV. SRI.N.P.SAMUEL
SRI.B.K.PURUSHOTHAMAN

RESPONDENTS:
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1. **STATE OF KERALA, REP.BY THE SECRETARY TO GOVERNMENT , FINANCE (PENSION) DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE DISTRICT REGISTRAR, (GENERAL),THRISSUR.**

3. **THE ACCOUNTANT GENERAL(A&E), KERALA, THIRUVANANTHAPURAM.**

4. **THE TREASURY OFFICER, DISTRICT TREASURY, AYYANTHOLE, THRISSUR DISTRICT.**

BY GOVERNMENT PLEADER SMT.K.RDEEPA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.42861/2001 IN OP.NO.26361/2001

DISMISSED

06.06.2007 **SD/- KURIAN JOSEPH,. JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE DISCHARGE CERTIFICATE NO.1058/50/DT. 15.12.79 ISSUED BY COMMANDING OFFICER TO THE PETITIONER.

EXT.P2:- COPY OF THE ORDER NO.P-02/PEN. A/2291/OK/00-01 DT. 29.6.01 ISSUED BY R3.

EXT.P3:- COPY OF THE ORDER NO.E2-7285/85 DT. 23.7.86 ISSUED BY R2.

EXT.P4:- COPY OF THE ORDER NO.E2-4118/95 DT. 13.2.96 ISSUED BY R2.

EXT.P5:- COPY OF THE ORDER NO.E2-3983/2000 DT. 4.11.2000 ISSUED BY R2.

EXT.P6:- COPY OF THE SPECIAL AWARDS PASSED BY GOVERNMENT TO TERRITORIAL ARMY PERSONEL.

/TRUE COPY/

tss

KURIAN JOSEPH, J.

O.P. NO. 26361 OF 2001

Dated this the 6th day of June, 2007.

J U D G M E N T

Petitioner is aggrieved since military service rendered by him is counted only for the purpose of higher grade and not for other purposes. Though the same is counted for the purpose of higher grade, it is significant to note that the military service is ordered to be counted only for the purpose of higher grade, as a special concession, making it explicitly clear that it did not count for pension since pension is governed by different set of rules. Thus there is no merit in that contention.

2. Petitioner had a further grievance that the pension for the admitted service was also not given. There is already an interim order in I.A. No. 11966/2003 to grant pension for the undisputed period. The said interim order is made absolute and this original petition is closed.

KURIAN JOSEPH, JUDGE.

smp